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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,712	11/18/2003	Jeffrey A. Davie	2968.255US02	6299
52835	7590	08/24/2005	EXAMINER	
HAMRE, SCHUMANN, MUELLER & LARSON, P.C. P.O. BOX 2902-0902 MINNEAPOLIS, MN 55402			HESS, DANIEL A	
			ART UNIT	PAPER NUMBER
			2876	

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/716,712

Applicant(s)

DAVIE ET AL.

Examiner

Daniel A. Hess

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 10, 11 and 21-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10, 11, 22 and 24 is/are rejected.
- 7) ☒ Claim(s) 21, 23 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

This action is in response to 6/23/2005 arguments and claim amendments, together with 7/21/2005 request for continuing examination.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 10 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Klinefelter et al. (US 2002/0180993).

Re claim 10: Klinefelter et al.'s invention is a card printer [0002]. There is, as can be seen in figure 1, an external communications link between the card printer 20 and a device external to the card printer, namely the PC 25.

There exist (see figure 1) controllers 22 that are in communication with the communication link to the outside, by way of the hub 28. A description of the controllers is given in [0013].

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[0013] Each controller 22 can include a microprocessor 30 and memory 32, as shown in controller 22A of FIG. 2. Memory 32 can include software applications that are executable by microprocessor 30 and data that is accessible by microprocessor 30. This allows each controller 22 to control the corresponding card processing device 24 independently of the other controllers 22. As a result, the architecture of identification card printer 20 allows for multiple tasks to be performed by card processing devices 24 simultaneously.

That the hub 28 is in at least one embodiment a USB hub is clear from [0012] which states that the communications bus 26 is preferably a USB bus. Since as figure 1 shows, all communications involving hub 28 are preferably on USB buses, it follows that hub 28 is preferably a USB hub.

There are two types of data writers, the print mechanism 24B and the data encoder 24D (see figure 1 and paragraph [0018]).

Regarding a plurality of data couplers, we may regard the controllers 22 also as the claimed couplers. The broadest definition of a coupler is something that connects two parts and there is a plurality of controllers 22B and 22D connecting the hub with data writers 24B and 24D respectively. Even if a more narrow definition of couplers is used, such that the couplers perform a conversion role, controllers 22 still would meet this definition.

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Re claim 11: As figure 11 shows, the hub 28 is integrated within the card printer 20 of Klinefelter et al.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klinefelter et al.

Re claim 22: The limitations of a card printer, external communications link, data writer and plurality of data couplers is similar to limitations discussed above with respect to claim 10.

As for the limitation of 'a controller' instead of 'USB hub' of claim 11, figure 2 of Klinefelter et al. can be referred to, where 22A has a microprocessor 30 and thus is a controller.

Lacking in the embodiment shown in figure 2 is the smart card writer controller 22D and smart card writer 24D that are shown in figure 1 (as has been discussed re claim 11, above).

In view of Klinefelter et al.'s embodiment of figure 1, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the old and well-known smart card writer controller 22D and smart card writer 24D that are shown in figure 1 in the embodiment of figure 2 because many cards require both print and smart-contact forms of encoding.

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Re claim 24: See discussion re claim 10 above. The hub of Klinefelter et al. can be considered a controller because it performs the task of routing.

Lacking is a teaching of a plurality of external communications links with the outside.

Klinefelter et al. can however be simply modified such that a second and/or third port of the hub 28 can lead to the outside of the printer in addition to the port which already leads to the outside. Since 28 is a general hub, such an modification would be operative.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have a second and/or third port of the hub 28 lead to the outside of the printer so that more than one external device can connect to the printer.

#### ***Allowable Subject Matter***

Claims 21, 23 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Neither Klinefelter et al., nor any other known prior art of record, teaches a desktop card printer having a plurality of smart card data couplers all of which interact with one smart card contact data writer, and such that there can be selection among them, as is recited in claims 21, 23 and 25.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Meyerhofer (US 2005/0058482), Goman et al. (US 2004/0256451), Dunham et al. (US 2003/0197056) and Tushie et al. (US 2003/0050899) all teach various card printers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel A. Hess whose telephone number is (571) 272-2392. The examiner can normally be reached on 8:00 AM - 5:00 PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DH  
8/19/2005

DANIEL STCYR  
PRIMARY EXAMINER

